

Post 5-18-76

Indictments Barred in '57 Ala. Death

MONTGOMERY, Ala., May 17 (UPI)—A circuit court judge today refused to reinstate indictments against three reputed members of the Ku Klux Klan who had been charged with murder in the 1957 death of a black truck driver.

Judge Frank B. Embry affirmed his earlier order that dismissed the indictments on the ground they failed to state the medical cause of death of Willie Edwards Jr., who allegedly was killed because the Klan believed he had made advances toward a white woman.

Prosecutors said previously they would seek new indictments if Embry refused to reinstate the old ones.

The state claimed four klansmen, including one who turned state's evidence and was granted immunity, kidnaped Edwards Jan. 23, 1957, drove him to a bridge over the Alabama River and forced him at gunpoint to jump from the bridge.

Edward's badly-decomposed body was recovered from the river three months later. An autopsy was unable to determine the medical cause of death.

The defendants were William (Sonny) Kyle Livingston, 38, a bail bondsman; Henry Alexander, 46, a plumbing contractor; and James York, 73, a retired city sanitation worker. All are from Montgomery.

The key witness against them at a preliminary hearing was Raymond C. Britt Jr., the fourth klansman.